



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,737	04/10/2001	Chad A. Schoettger	SMQ-064 (P5765)	9630
959	7590	06/17/2005	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			NGUYEN, THANH	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/829,737	SCHOETTGER, CHAD A.	
	Examiner	Art Unit	
	Tammy T. Nguyen	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20590
www.uspto.gov

Detailed Office Action

1. This action is in response to the amendment filed. **February 28, 2005.**
2. Claims **1-23** are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4, 5, 8, 9, 11-13, and 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Chung et al. (USPN 6,012,090– Date of Patent: January 4, 2000, herein referred to as “Chung”).
5. As to claim 1, Chung teaches the invention as claimed, including a method comprising the steps of: providing a web page with a first and second embedded software facility, said first embedded software facility including a reference to a source of computer- executable code for determining the trust

proxy setting in a web browser (Fig.3, Proxy setting 138 in browser 106, and col.11, lines 11-30); said second embedded software facility including a reference to a source of computer-executable code (col.); receiving a request for said web page from a web browser (col.3, line 60 to col.4, line 5); and forwarding said web page to said web browser in response to said request (col.4, lines 55-67).

6. As to claim 2, Chung teaches the invention as claimed, wherein said computer-executable code referenced by said first embedded software facility is stored at a remote location from said web page (Fig.3 shows first embedded software (Access Applet) is stored at a remote location from the web page 106).
7. As to claim 4, Chung teaches the invention as claimed, including a method comprising the steps of: providing a web browser, said web browser stored on an electronic client device interfaced with said network, said web browser including settings for network connections (Fig.3, browser 106 connect to internet 104); retrieving a web page with said web browser, said web page including a first and second software facility stored therein, said first software facility including a reference to a source of computer-executable code for determining the trust proxy setting in said web browser (Fig.3, Proxy setting 138 in browser 106, and col.11, lines 11-30); retrieving the code for said first software facility (col.3, line 60 to col.4, line 5); and determining the trust proxy setting in the network settings of said web browser by executing the code for said first software facility (col.4, lines 55-67).

8. As to claim 5, Chung teaches the invention as claimed, wherein said the execution of the code referenced by said first software facility causes the trust proxy setting of said browser to be displayed to a user of said electronic client device as part of a notification that said trust proxy setting is not enabled (col.8, lines 10-26).
9. As to claim 8, Chung teaches the invention as claimed, wherein both said first and second software facilities are Java applets (Fig. 3, Java applets).
10. As to claim 9, Chung teaches the invention as claimed, wherein said computer-executable code referenced by said first embedded software facility is stored at a remote location from said web page (Fig.3, Access Applet 120 and browser 106).
11. As to claim 11, Chung teaches the invention as claimed, including a method for executing applets, said method comprising the steps of: providing a web browser, said web browser stored on an electronic client device interfaced with said network, said web browser including settings for network connections (Fig.3, and col.10, lines 1-10); providing a first applet and second applet stored on a web page accessible over said network, said first applet including a reference to a source of computer-executable code for determining the trust proxy setting in said web browser (Fig.3, Proxy setting 138 in browser 106, and col.11, lines 11-30); retrieving said web page with said web browser, said web browser initiating execution of said first applet (col.3, line 60 to col.4, line 5) ; and determining the trust proxy setting in the network

settings of said web browser as a result of the execution of said first applet (col.4, lines 55-67, display result for the execution of first applet).

12. As to claim 12, Chung teaches the invention as claimed, wherein said first applet displays said trust proxy setting to a user of said web browser as part of a notification that said trust proxy setting is not enabled (col.8, lines 10-30).
13. As to claim 13, Chung teaches the invention as claimed, wherein said applets are Java applets (col.9, lines 45-57).
14. As to claim 16, Chung teaches the invention as claimed, wherein the code for said first applet is stored at a remote location from said web page (Fig.3, Access Applet 120 and browser 106).
15. As to claim 17, Chung teaches the invention as claimed, including in a computer network, a first and second medium holding computer-executable instructions for a method, said method comprising the steps of: providing a web page with a first and second embedded software facility, said first embedded software facility including a reference to code stored in said first medium, said first medium holding computer-executable code for determining the trust proxy setting in a web browser, said second embedded software facility including a reference to code stored in said second medium (Fig.3, Proxy setting 138 in browser 106, and col.11, lines 11-30); receiving a request for said web page from a web browser; and forwarding in response to said request said web page (col.3, line 60 to col.4, line 5, and col.4, lines 55-67).

Art Unit: 2144

16. As to claim 18, Chung teaches the invention as claimed, wherein said first medium is located remotely from said web page storage location (Fig.3, Access Applet 120 and browser 106).
17. As to claim 19, Chung does not teach a second embedded software facility is stored at a remote location from web page. However, Ingrassia, Jr teaches a second embedded software facility is stored at a remote location from web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Chung to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.
18. As to claim 20, Chung teaches the invention as claimed, wherein both said first medium and said second medium are located remotely from said web page (fig.3).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 3, 10, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al., (hereinafter Chung) U.S. Patent No. 6,012,090 in view of Ingrassia, Jr et al., (hereinafter Ingrassia, Jr) U.S. Patent No. 6,035,332.
21. As to claim 3, Chung does not teach the invention as claimed, wherein said computer-executable code referenced by said second embedded software facility is stored at a remote location from said web page. However, Ingrassia Jr teaches the second software facility is stored at a remote location from the web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Chung to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.
22. As to claim 10, Chung does not teach a second embedded software facility is stored at a remote location from web page. However, Ingrassia, Jr teaches a second embedded software facility is stored at a remote location from web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Chung to have a second embedded software facility is stored at a remote location from web

page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.

23. As to claim 21, Chung teaches the invention as claimed, including a network, a method comprising the steps of: providing a first web page with a first embedded software facility, said first embedded software facility including a reference to a source of computer-executable code for determining the trust proxy setting in a web browser (Fig.3, Proxy setting 138 in browser 106, and col.11, lines 11-30); receiving a first request for said first web page from a web browser (col.3, line 60 to col.4, line 5); forwarding said first web page to said web browser in response to said first request (col.4, lines 55-67); receiving a second request for said second web page from said web browser after the execution of said first embedded software facility, said execution indicating the proxy setting in said web browser is enabled (col.8, lines 10-27); and forwarding said second web page to said web browser in response to said second request (col.4, lines 55-65). But Chung does not teaches a second web page with a second embedded software facility, said second embedded software facility including a reference to a source of computer-executable code. However, Ingrassia, Jr teaches providing a second web page with a second embedded software facility, said second embedded software facility including a reference to a source of computer- executable code (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Chung to have a second

Art Unit: 2144

embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.

24. As to claim 22, Chung teaches the invention as claimed, wherein said computer-executable code referenced by said first embedded software facility is stored at a remote location from said first web page Chung teaches the invention as claimed, wherein said first medium is located remotely from said web page storage location (Fig.3, Access Applet 120 and browser 106).
25. As to claim 23, Chung does not teach a second embedded software facility is stored at a remote location from web page. However, Ingrassia, Jr teaches a second embedded software facility is stored at a remote location from web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Chung to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.
26. Claims 6, 7, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al., (hereinafter Chung) U.S. Patent No. 6,012,090 and Ingrassia, Jr et al., (hereinafter Ingrassia, Jr) U.S. Patent No. 6,035,332 in view of Johannes Hubert, (hereinafter Hubert) U.S. Patent No. 6,366,949.

27. As to claims 6, and 14, Chung and Ingrassia, Jr do not teach a second applet is composed of multiple classes. However, Hubert teaches a second applet is composed of multiple classes (col.4, lines 5-25). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Hubert into the computer system of Chung to have the second applet is composed of multiple classes because it would have provided a method and arrangement for data transfer with a higher level of applicability.
28. As to claim 7, Chung and Ingrassia Jr do not second software facility stored on said web page is a .jar file. However, Hubert teaches second software facility stored on said web page is a .jar file (col.3, lines 10-17). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Hubert into the computer system of Chung to have the second software facility stored on said web page is a .Jar file because it would have provided that encryption of the data, the data not only kept confidential but it can also be made even more safe through encryption in file.
29. As to claim 15, Chung and Ingrassia, Jr do not teach a second applet is a compressed file. However, Hubert teaches a second applet is a compressed file (Fig.2 Class files, and col.3, lines 10-17). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Hubert into the computer system of Chung to have

Art Unit: 2144

the second applet is a compressed file because it would have provided a method and arrangement for data transfer with a higher level of applicability.

Response to Arguments

30. Applicant's arguments filed on March 14, 2003 have been fully considered, however they are not persuasive because of the following reasons:
31. Applicants argue that Chung does not teach determining a trust proxy setting. In response to Applicant's argument, the Patent Office maintain the rejection because Chung determining a trust proxy setting as shown in Fig.3, Proxy setting 138 in browser 106, and col.11, lines 11-30. Chung clearly shows a trust proxy setting.
32. Therefore, the Examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims 1, 4, 5, 11, 17, and 21. Claims 2,3, 6, 7-10, 12-16, 18-20, 22, and 23 are also rejected at least by the virtue of their dependency on independent claims and by other reasons set forth in the previous office action.
33. Accordingly, claims 1-23 are respectfully rejected.

Conclusion

34. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2144

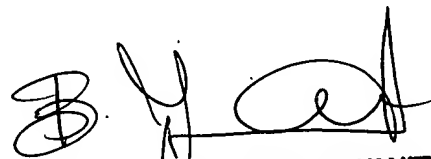
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

35. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(571) 272-3929**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

TTN .

June 12, 2005


BUNJOB JAROENCHONWANT
PRIMARY EXAMINER